

**Testimony
available for
public review in**

**Judiciary Committee
Room 2500**

Dear Honorable Chairs Winfield, Stafstrum, Kissel and Rebimbas,

Thank you for taking up SB1085 **AN ACT CONCERNING THE LEGALIZATION OF THE RETAIL SALE AND POSSESSION OF CANNABIS**. My name is Jason Ortiz and I serve as the Political Director For CURECT, a statewide grassroots organization that mobilizes communities of color toward equity in the cannabis industry and justice for all communities impacted by the war on drugs. I also serve as the Vice President of the Minority Cannabis Business Association(MCBA), a National Trade Association of People of color interested in Entering the Cannabis industry. I am a Father, a Hartford resident, and someone who was arrested at the age of 16 and charged with possession of cannabis while in High School. That experience would change the course of my life and lead me to this moment where I can voice my perspective on why the current legalization bills being presented are insufficient to meet the task of truly doing right by communities that have been devastated by over policing.

Our purpose as CURECT is to end the war on our communities, ensure those who have been harmed are made whole, and to create opportunities for our communities to thrive equal to other what other communities are being given. Those are our goals and why we support the legalization of cannabis. **Unfortunately 1085 would not achieve that, and thus we oppose 1085 as it is currently written.** This bill contains great elements and also some rather frightening elements as well. **We look forward to working with everyone to sift the good from the bad and find something we can all support.**

In short SB 1805 does not decriminalize the sale or cultivation of cannabis. These bills do not decriminalize growing cannabis. These bills still have mandatory minimum of over 5+ years for conduct that will be happening across the state and making already wealthy people from out of state even more wealthy. These bills do not end the war on our community and thus we must oppose this being passed under the guise of legalizing cannabis.

In addition this bill does not provide for Expungement of Distribution/intent to sell or Cultivation. To on one hand keep criminal penalties which include mandatory minimums on one hand and then in a committee room down the hall legalize it for millionaires is offensive. For a clear example of the racist impact of this approach , **SB 1085 and other discussions on cannabis namely HB7371** would make it possible for Russian Billionaire Boris Jordan from Curaleaf to make millions selling edibles, but New Haven Resident and Barbecue entrepreneur Ricky "Ricky D" Evans would be denied the same opportunity given to Boris, who is an out of state investor. That is wrong.

I believe these bills miss the mark because they do not address the core problem: The war on drugs was racist, and so is the cannabis industry. We need real liberation and investment for our communities, not measures that only further entrench racism and call it legalization. Let's move forward REAL legalization together. We have the solutions in our own bill drafted by CURECT which can be found at curect.org. We look forward to working with everyone to find language that works, and we have a number of recommendations to do so. All you need to do is make sure our communities have a seat at the table. Together we can do it right, and do right by all our communities.

Recomendations

1. This bill does not decriminalize Distribution/intent to sell or Cultivation. This bill just slightly increases decrim, and gives special privileges to current "licensed" distributors to

engage in economic activity denied to everyone else. This will not change disparate impact to our communities. After decrim the arrest rate stayed at 4-1. After decrim police frequently added intent to sell. Which is not decriminalized under this bill Distribution first offense still carries jail time. 1085 has a mandatory minimum for large scale distribution. Distribution and cultivation must be decriminalized, and those currently in prison released.

Please add “Distribution/Intent to sell” and “Cultivation” to all changes of the criminal code, and reduce any and all penalties to civil infractions equal to similar actions for alcohol and make the changes RETROACTIVE to the passage of this act.

2. Expungement is saying we admit what we did was wrong and it should not hurt people moving forward. Are we not admitting that criminalizing distribution and cultivation was wrong when we are literally giving other people the right to do it? The hypocrisy in leaving out distribution and cultivation while at the same time creating licenses for distribution and cultivation is offensive on its face. Creating a right that will only be given to a few dozen people should be illegal.

Add “Distribution/Intent to sell” and “Cultivation” to all expungement programs

3. Public consumption Section 8 b-1,b-2 needs clarification. This reads like it protects folks in public housing or certain established smoking areas which is a great addition, especially in regards to public housing. But the tobacco bar portion is confusing. Would this empower hookah lounges to become consumption spaces? Would a seperate license be needed to fulfill this portion or can any establishment that meets the criteria allow it? What is the makeup of eligible establishments? This seems overly complicated if the goal is to allow on-site consumption which is a vital part of any legalization framework.

Make consumption lounges a license type to be included in all equity programs.

4. Pages 10-14 make it abundantly clear that dispensary owners want to be protected against charges of distribution to a minor. Why is there 4 pages on protecting current dispensary owners, but 0 pages on who will be released from prison? The prioritization of certain communities over others is on full display on pages 10-14.

Add measures to release anyone currently in prison for distribution or cultivation, and to create a prison to prosperity pipeline incentivizing the hire of returning citizens into new cannabis businesses and training programs.

5. Create the office of justice reinvestment to oversee the expungement outreach program, provide real re-entry support, and ensure that revenue directed at reentry support goes toward those directly impacted by the war on cannabis.

Supporting documents

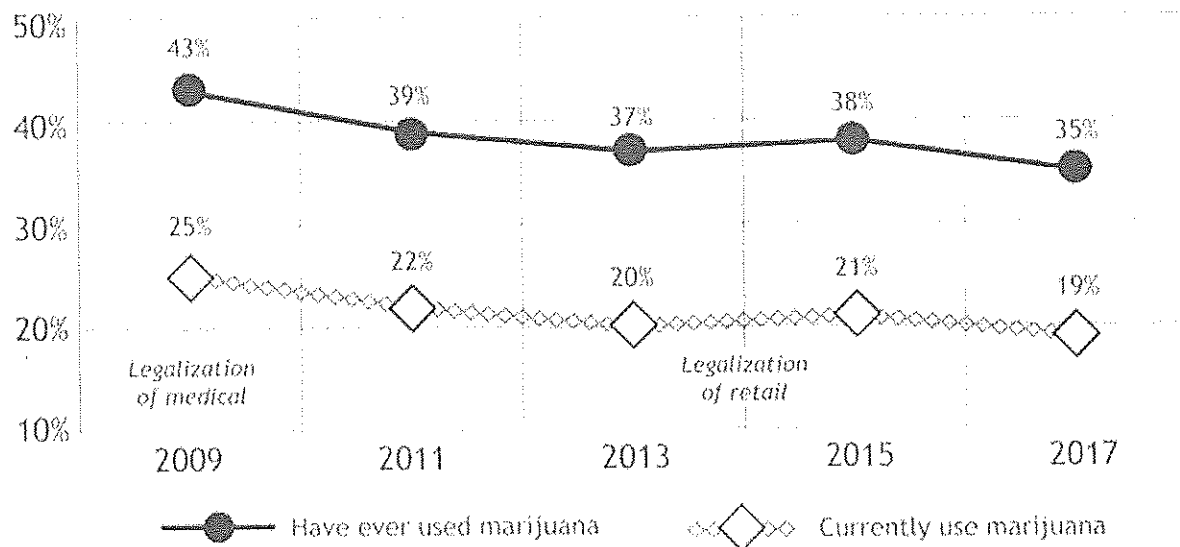
Below you will find a Cannabis legalization bill drafted by CURE CT and a model Equity Ordinance drafted by the Minority Cannabis Business Association. These documents are intended to serve as a bank of potential language for the various situations that may arise as discussions on specifics take place.

I am also including some references to scientific studies that refute commonly held arguments around cannabis and its potential health and safety consequences.

Feel free to reach out to me at jasonjortiz@gmail.com with any questions.

Results from the biennial, state-sponsored Healthy Kids Colorado Survey, in this chart limited to high school students (which helps explain why the rates are higher than the NSDUH numbers), are similar:

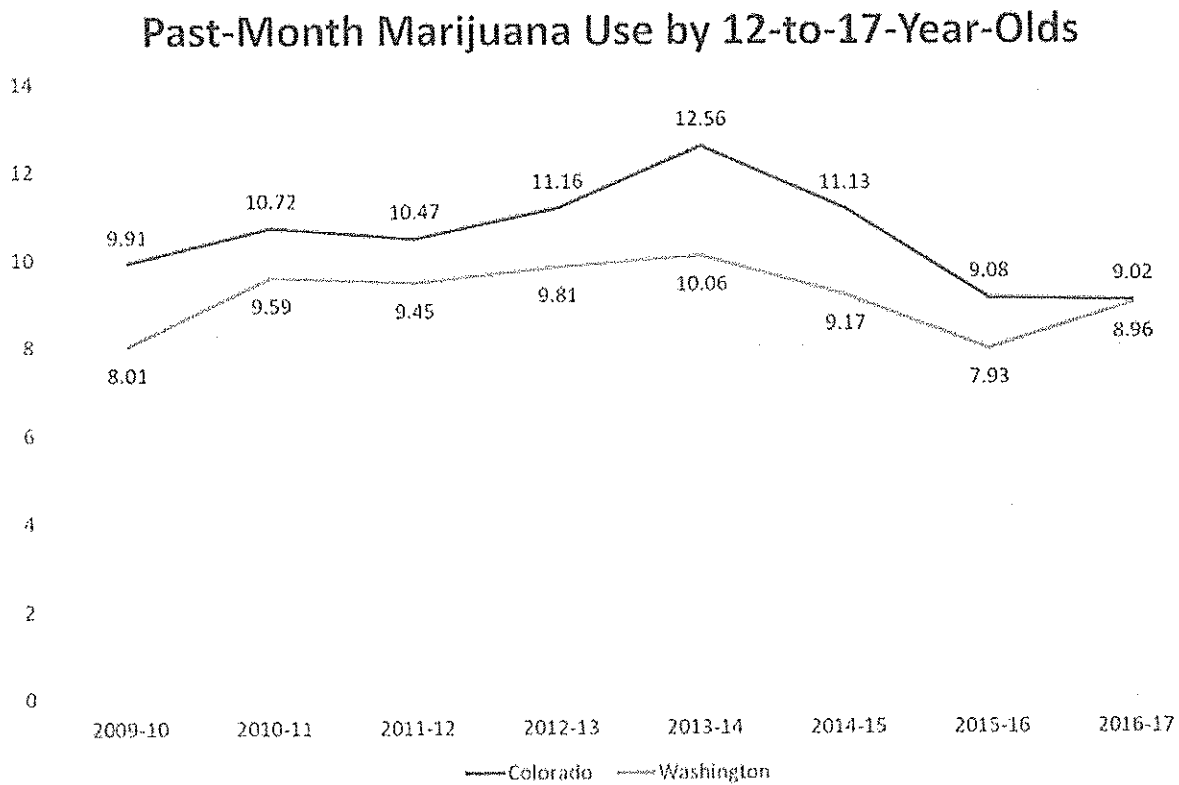
YOUTH MARIJUANA USE REMAINS RELATIVELY UNCHANGED SINCE LEGALIZATION



HKCS

I have to say I am rather surprised by these numbers. I was never comfortable with assurances that legalization would not lead to more underage use. While it's true that licensed marijuana merchants, unlike black-market pot dealers, actually card their customers (and anyone who has bought marijuana in Colorado or Washington can testify that the stores take that responsibility seriously), it seemed to me that leakage from the adult market might very well make pot more readily available to teenagers, resulting in more cannabis consumption. So far it hasn't happened, maybe partly because legalization made marijuana *less* appealing to adolescents—a reversal of the "forbidden fruit" effect.

The recent, laughably bad Centennial Institute report on marijuana legalization in Colorado talks a lot about the impact of cannabis consumption on high school students. In fact, lost productivity due to marijuana-related high school dropouts is the biggest component of the costs it erroneously attributes to legalization. Yet conspicuously missing from the report is any claim that legalization led to an increase in marijuana use by teenagers, a popular theme among pot prohibitionists. The omission is understandable in light of survey data showing that rates of marijuana use among middle and high school students in Colorado and Washington, the other state that legalized recreational use in 2012, have been essentially flat since then:



NSDUH

These numbers come from the National Survey on Drug Use and Health (NSDUH), which generates state-specific data based on two-year averages to compensate for the relatively small samples at that level. According to the most recent numbers, the rate of past-month marijuana use among 12-to-17-year-olds was a bit lower in 2016-17, after three years of state-licensed sales (and four years of legal home cultivation in Colorado), than it was in 2011-12.

Crash Fatality Rates After Recreational Marijuana Legalization in Washington and Colorado

Jayson D. Aydelotte MD, Lawrence H. Brown PhD, Kevin M. Luftman MD, Alexandra L. Mardock BA, Pedro G. R. Teixeira MD, Ben Coopwood MD, and Carlos V. R. Brown MD

[+] Author affiliations, information, and correspondence details

Accepted: April 11, 2017 Published Online: July 12, 2017

[Abstract](#) [Full Text](#) [References](#) [Supplements](#) [PDF](#) [PDF Plus](#)

Objectives. To evaluate motor vehicle crash fatality rates in the first 2 states with recreational marijuana legalization and compare them with motor vehicle crash fatality rates in similar states without recreational marijuana legalization.

Methods. We used the US Fatality Analysis Reporting System to determine the annual numbers of motor vehicle crash fatalities between 2009 and 2015 in Washington, Colorado, and 8 control states. We compared year-over-year changes in motor vehicle crash fatality rates (per billion vehicle miles traveled) before and after recreational marijuana legalization with a difference-in-differences approach that controlled for underlying time trends and state-specific population, economic, and traffic characteristics.

Results. Pre-recreational marijuana legalization annual changes in motor vehicle crash fatality rates for Washington and Colorado were similar to those for the control states. Post-recreational marijuana legalization changes in motor vehicle crash fatality rates for Washington and Colorado also did not significantly differ from those for the control states (adjusted difference-in-differences coefficient = +0.2 fatalities/billion vehicle miles traveled; 95% confidence interval = −0.4, +0.9).

Conclusions. Three years after recreational marijuana legalization, changes in motor vehicle crash fatality rates for Washington and Colorado were not statistically different from those in similar states without recreational marijuana legalization. Future studies over a longer time remain warranted.